THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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DATED: 08-09-2005

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WRIT PETITION No.19852 OF 2005

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Between:

Sai Nightingale Nursing School . . .Petitioner

And

The State of A.P. and others . . .Respondents

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THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.19852 OF 2005

O R D E R:

The petitioner is a School of Nursing. It has been allotted some seats for the academic year 2005-2006. Vast number of seats are said to be vacant on account of non-availability of female candidates. It submitted a representation to the respondents seeking permission to admit male candidates against the existing vacancies in B.Sc.(Nursing) Course for the current academic year. Reliance was placed upon G.O.Ms.No.82, Health, Medical and Family Welfare (K2) Department, dated 18-03-2005, issued by the Government in this regard. The petitioner seeks appropriate directions.

Heard the learned counsel for the petitioner and the learned Government Pleader for Medical and Health.

The Government itself entertained a doubt as to whether it is permissible to admit male candidates in B.Sc. (Nursing) Course and sought for clarification from the Secretary, Indian Nursing Council, New Delhi. Through a letter dated 11-02-2005, the Indian Nursing Council, New Delhi, clarified that there is no prohibition to admit male candidates into the said courses. Accepting the clarification issued by the Indian Nursing Council, New Delhi, the Government issued G.O.Ms.No.82, dated 18-03-2005, directing the subordinate authorities to implement the same.

In view of the orders passed in G.O.Ms.No.82, dated 18-03-2005, there is no prohibition for admitting male candidates into B.Sc. (Nursing) Course. At the most, a further stipulation may be made to the effect that no female candidate shall be denied admission, and the male candidates can be admitted only when the female candidates are not available. Though the G.O. was issued, the subordinate authorities do not appear to have implemented the same in the course of admission and allotment of candidates for the current academic year. The representation of the petitioner cannot be kept pending indefinitely.

For the foregoing reasons, the writ petition is disposed of leaving it open to the petitioner school to make a fresh representation to the first respondent seeking permission to admit male candidates against the existing vacancies in B.Sc. (Nursing) Course for the current academic year. On such representation, the first respondent shall pass appropriate orders, within a period of one week from the date of receipt of it.

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(L.NARASIMHA REDDY, J)

8th SEPTEMBER, 2005.

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